

Message Text

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41

ACTION L-03

INFO OCT-01 AF-08 ISO-00 OPIC-03 AID-05 EB-07 COME-00

TRSE-00 /027 W

----- 124045

R 301126Z APR 76

FM AMEMBASSY BAMAKO

TO SECSTATE WASHDC 3760

INFO AMEMBASSY ABIDJAN

C O N F I D E N T I A L BAMAKO 1461

FOR WHILDEN L/M

EO 11652: GDS

TAGS: CFED, ML

SUBJ: TAW TRANSFERS

REF: (A) BAMAKO 1324 (B) STATE 094582

1. CHARGE MET APRIL 28 AND 29 WITH MOUSTAPHA DEME, DIRECTOR GENERAL FOR COOPERATION, MFA, TO WORK OUT DEFINITIVE GOM REPLY TO OUR NOTE REQUESTING APPROVAL OF PRIOR TAW TRANSFERS. DEME CONSIDERED TEXT OF LETTER CONTAINED REF B AS EXTREMELY HELPFUL.

2. DEME EXPLAINED THAT MALI HAD TWO CONCERNS REGARDING TAW: FIRST, THAT TAW CONTINUE OPERATIONS IN MALI SINCE TAW HAD 90 LARGE TRUCKS STILL IN USE AND THEY WERE IMPORTANT TO THE NATION; SECOND, TAW OWED CUSTOMS DUTIES TO THE GOM. DEME SAID THAT USG HAD NOT ADVISED THE GOM OF THE TRANSFERS OF TAW FUNDS TO THE EMBASSY'S ACCOUNT AND THAT THIS WAS IN VIOLATION OF THE 1964 IGA. CHARGE DISAGREED AND DEME SOFTENED THIS TO VIOLATION OF THE SPIRIT OF THE IGA. IN THE FUTURE IT WOULD BE ABSOLUTELY NECESSARY, DEME SAID, FOR THE USG TO NOTIFY THE GOM PRIOR TO TRANSFERRING FUNDS WITHIN MALI UNDER THE IGA. A GOM REPLY COULD BE GIVEN IN 2-3
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DAYS.

3. CITING THE INTERESTS OF COMITY BETWEEN THE TWO COUNTRIES, AND THE BASIS IMPORTANCE OF PRESERVING THE IGA, DEME TOLD CHARGE THAT THE GOM HOPED TO BE ABLE TO PRESENT A FINAL REPLY IN THE FORM OF A DIPLOMATIC NOTE. THIS NOTE WOULD CONTAIN LANGUAGE "VERY SIMILIAR" TO THAT REQUESTED, BUT WOULD ALSO RAISE THE ISSUES CONCERNING NOTIFICATION, INTERPRETATION OF THE TREATY AND THE DESIRE THAT TAW'S OPERATIONS CONTINUE IN MALI. CHARGE THANKED DEME AND ASKED IF IT WOULD BE POSSIBLE FOR THE GOM TO PRESENT TWO NOTES: ONE THAT WOULD GIVE US THE LANGUAGE APPROVING PAST TRANSFERS; THE OTHER WOULD COVER PRESENT AND FUTURE PROBLEMS REGARDING THE IGA. DEME THOUGHT THAT WOULD BE POSSIBLE.

4. COMMENT: CHARGE AVOIDED DISCUSSION OF INTERPRETATION OF IGA AND MADE POINT THAT IT WOULD BE BEST TO SEPARATE TAW ISSUE INTO PAST AND PRESENT/FUTURE PROBLEMS. WE PLAN TO WAIT AND SEE WHAT GOM PRODUCES IN THE WAY OF A REPLY. IT IS PROBABLY BETTER AT THIS POINT NOT TO DISCUSS EXTRANEIOUS ISSUES. BELIEVE WE SHOULD CONCENTRATE ON GETTING THE CLEAR LANGUAGE WE NEED TO APPROVE PRIOR TRANSFERS. WILL ADVISE.
DAWKINS

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 30 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BAMAKO01461
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760166-1035
From: BAMAKO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976045/aaaaadkq.tel
Line Count: 87
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 BAMAKO 1324, 76 STATE 94582
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 25 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <25 JUN 2004 by izenbei0>; APPROVED <12 OCT 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: TAW TRANSFERS
TAGS: CFED, ML
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006